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FOR IMMEDIATE RELEASE
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**City Council Bill 60 Would Require Seller of Residential Property to
Notify Potential Buyers of Previous Illegal Activity at Residence**
Legislation focuses on property used for the illegal manufacturing of crystal methamphetamine

HONOLULU, HI – Honolulu City Council Chair Donovan M. Dela Cruz introduced a bill addressing disclosures by sellers of residential real property to potential buyers of such property. In particular, Bill 60 requires a disclosure if the property has been used as a site for the illegal manufacture of crystal methamphetamine, due to the threat to public health and welfare from contamination of the property that may result from such illegal activity.

“Potential homeowners should have the right to know of any illegal drug-activity that has occurred at the property they are considering purchasing,” said Honolulu City Council Chair Donovan M. Dela Cruz. “Home-buying is a huge investment. So that they may make decisions with which they are comfortable, people should be presented with any information that may be relevant to their well-being – especially those potential homebuyers with young children or pregnant women.”

Under Bill 60, if residential real property has been used as a site for the illegal manufacture of crystal methamphetamine, the seller of the property shall, subject to the conditions of the law, disclose that fact in writing to any potential buyer of the property prior to the buyer entering into any real estate purchase contract.

(more)

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The duty of the seller to disclose that the seller's residential real property has been used as a site for the illegal manufacture of crystal methamphetamine shall be based on either of the following:

- The seller knew or, based on the circumstances, should have known that the residential real property being sold was used as a site for the illegal manufacture of crystal methamphetamine; or
- The seller was provided facts from: a government law enforcement agency; a managing agent of a homeowner's association, including a condominium, cooperative or community association; or an agent authorized to manage the residential real property; regarding the manufacture of crystal methamphetamine on the property.

Honolulu City Council Chair Donovan M. Dela Cruz represents Council District 2, which includes Mililani Mauka, Wahiawa, Whitmore Village, Mokuleia, Waialua, Haleiwa, Waimea, Pupukeya, Sunset Beach, Kahuku, Laie, Hauula, Punaluu, Kahana, Kaaawa, Kualoa, Waiahole, Kahaluu, Ahuimanu, and a portion of Heeia.

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